IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 7447 OF 2005

IN

CRIMINAL APPEAL NO. 1050 OF 2005

Mohammed Salim Nabi Noor Shaikh ...Applicant

Versus

State of Maharashtra ...

Respondent

Mr. Parvez Udharay & Mr. J.D. Singh for the Applicant
Ms. G.P. Mulekar,Additional Public Prosecutor, for the State.

CORAM: **A.M. KHANWILKAR, J.**
DATE: **DECEMBER 13, 2005**.

P.C.

Appeal is already admitted by separate order of even date. It is unlikely that the Appeal will be heard in near future as Appeals prior to 1995 are still pending for hearing. Sentence imposed by the Court below is for 5 years. Applicant has already undergone around 3 months of sentence. The Applicant was on bail during the pendency of the trial. There is nothing on record to indicate that the Applicant misused that bail. As prima facie case has been made out, in my opinion, the Applicant is entitled for bail during the pendency of Appeal. Accordingly, this application is allowed by directing the Respondent to release the Applicant on bail during the pendency of Appeal

on same terms and conditions as obtained during the trial on executing fresh bonds. Application disposed of accordingly.

(A.M. KHANWILKAR, J.)